

1 HOUSE BILL NO. 395

2 INTRODUCED BY J. DOOLING

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4 A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING ZONING DISTRICT LAWS;
5 PROHIBITING THE ESTABLISHMENT OF NEW ZONING DISTRICTS DURING DECLARATIONS OF
6 EMERGENCY AND DISASTER; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A
7 RETROACTIVE APPLICABILITY DATE."

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9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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11 NEW SECTION. **Section 1. New zoning districts prohibited during times of emergency or**
12 **disaster -- exception.** Except as provided in 76-2-206, a board of county commissioners may not establish a
13 new zoning district as allowed in 76-2-202 during a state of emergency or disaster declared by the governor
14 pursuant to Title 10, chapter 3.

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16 NEW SECTION. **Section 2. New zoning districts prohibited during times of emergency or**
17 **disaster -- exception.** Except as provided in 76-2-306, the local city or town council or other legislative body
18 may not establish a new zoning district as allowed in 76-2-302 during a state of emergency or disaster declared
19 by the governor pursuant to Title 10, chapter 3.

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21 NEW SECTION. **Section 3. Codification instruction.** (1) [Section 1] is intended to be codified as an
22 integral part of Title 76, chapter 2, part 2, and the provisions of Title 76, chapter 2, part 2, apply to [section 1].

23 (2) [Section 2] is intended to be codified as an integral part of Title 76, chapter 2, part 3, and the
24 provisions of Title 76, chapter 2, part 3, apply to [section 2].

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26 NEW SECTION. **Section 4. Effective date.** [This act] is effective on passage and approval.

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28 NEW SECTION. **Section 5. Retroactive applicability.** [This act] applies retroactively, within the

1 meaning of 1-2-109, to zoning districts created on or after January 1, 2020.

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